

**THURSDAY, MAY 8, 2003**

**THIRTY-EIGHTH LEGISLATIVE DAY**

**CALL TO ORDER**

The Senate met at 9:00 a.m., and was called to order by Mr. Speaker Wilder.

**PRAYER**

The proceedings were opened with prayer by Father Phillip Breen of St. Anne's Catholic Church in Nashville, Tennessee, a guest of Senator Henry.

**PLEDGE OF ALLEGIANCE**

Senator Henry led the Senate in the Pledge of Allegiance to the Flag.

**ROLL CALL**

The roll call was taken with the following results:

Present . . . . . 33

Senators present were: Atchley, Beavers, Bryson, Burchett, Burks, Clabough, Cohen, Cooper, Crowe, Crutchfield, Dixon, Ford, Fowler, Graves, Harper, Haynes, Henry, Herron, Jackson, Ketron, Kilby, Kurita, Kyle, McLeary, McNally, Miller, Norris, Person, Ramsey, Southerland, Trail, Williams and Mr. Speaker Wilder--33.

**STANDING COMMITTEE REPORT**

**FINANCE, WAYS AND MEANS**

MR. SPEAKER: Your Committee on Finance, Ways and Means begs leave to report that we have carefully considered and recommend for passage: Senate Bill No. 1991 with amendments.

HENRY, Chairperson  
May 7, 2003

The Speaker announced that he had referred Senate Bill No. 1991 with amendments to Committee on Calendar.

**HOUSE BILLS ON FIRST CONSIDERATION**

The Speaker announced that the following House Bills were transmitted to the Senate and passed first consideration:

**House Bill No. 1263** -- Martin -- Subject to local approval, establishes duties and requirements for city recorder. Amends Chapter 158 of the Private Acts of 1992; as amended.

**House Bill No. 1469** -- Taxes, Personal Property -- Revises procedures for filing tangible personal property schedules; removes criminal penalty for failure to file schedule; provides for

## **THURSDAY, MAY 8, 2003 -- 38TH LEGISLATIVE DAY**

extension of deadline to file schedule; and changes time of notice of forced assessment from five to 10 days before county board of equalization commences session. Amends TCA Section 67-5-903.

**House Bill No. 1705** -- Driver Licenses -- Prohibits acceptance of matricula consular cards for identification purposes. Amends TCA Section 55-50-321.

**House Bill No. 1893** -- Equalization Board -- Authorizes board to impose fee, by rule, for processing applications for property tax exemption. Amends Tennessee Code Annotated, Title 67, Chapter 5.

**House Bill No. 1895** -- Equalization Board -- Authorizes board to assess actual costs of hearing or processing appeal against any appellant not determined to be indigent. Amends Tennessee Code Annotated, Section 67-5-1501.

**House Bill No. 2099** -- Maury County -- Subject to local approval, establishes rules for parks owned, operated or leased by county.

**House Bill No. 2108** -- Carthage -- Subject to local approval, enacts hotel/motel tax.

**House Bill No. 2112** -- Polk County -- Subject to local approval, extends implementation date for tax on privilege of participating in amusement on Upper Ocoee River from January 1, 2004, until January 1, 2009. Amends Chapter 32 of the Private Acts of 2001.

**House Bill No. 2113** -- Loudon County -- Subject to local approval, creates Family Court. Amends Chapter 57 of the Private Acts of 1959.

### **SENATE BILLS ON SECOND CONSIDERATION**

The Speaker announced that the following bills passed second consideration and were referred to the appropriate committee:

**Senate Bill No. 2032** held on desk.

**Senate Bill No. 2033** held on desk.

### **INTRODUCTION OF RESOLUTIONS**

The Speaker announced the following resolutions were filed for introduction. Pursuant to Rule 21, the resolutions lie over.

**Senate Joint Resolution No. 410** by Senator Kurita.  
Memorials, Academic Achievement -- Andrew Luke Puthoff, Valedictorian, Sycamore High School.

**Senate Joint Resolution No. 411** by Senator Kurita.  
Memorials, Academic Achievement -- Tiffany Diane Chambers, 2003 Co-Valedictorian of Sycamore High School.

**Senate Joint Resolution No. 412** by Senator Kurita.  
Memorials, Academic Achievement -- Katelan Marie Crawford, Valedictorian, Sycamore High School.

**THURSDAY, MAY 8, 2003 -- 38TH LEGISLATIVE DAY**

**Senate Joint Resolution No. 413** by Senator Kurita.

Memorials, Academic Achievement -- James Ryan Hamdorff, Valedictorian, Harpeth High School.

**Senate Joint Resolution No. 414** by Senator Cooper.

Memorials, Academic Achievement -- Patti Carter, Co-Valedictorian, Huntland High School.

**Senate Joint Resolution No. 415** by Senator Cooper.

Memorials, Academic Achievement -- Emily Sims, Co-Valedictorian, Huntland High School.

**Senate Joint Resolution No. 416** by Senator Cooper.

Memorials, Academic Achievement -- Rachel Rogers, Co-Valedictorian, Huntland High School.

**Senate Joint Resolution No. 417** by Senator Cooper.

Memorials, Academic Achievement -- Katherine Joanne Smith, Co-Valedictorian, Huntland High School.

**Senate Joint Resolution No. 418** by Senator Cooper.

Memorials, Academic Achievement -- Ryan Robinson, Co-Valedictorian, Huntland High School.

**Senate Joint Resolution No. 419** by Senator Cooper.

Memorials, Academic Achievement -- Robert A. Wilkinson III, Co-Valedictorian, Huntland High School.

**Senate Joint Resolution No. 420** by Senator Cooper.

Memorials, Academic Achievement -- Audra Carol LaFevers, Co-Valedictorian, Huntland High School.

**Senate Joint Resolution No. 421** by Senator Cooper.

Memorials, Academic Achievement -- Rebekah Stovall, Salutatorian, Huntland High School.

**Senate Joint Resolution No. 422** by Senator Cooper.

Memorials, Academic Achievement -- Dara Alicia May, Salutatorian, Huntland High School.

**Senate Joint Resolution No. 423** by Senator Cooper.

Memorials, Academic Achievement -- Ashley Nicole Limbaugh, Salutatorian, Huntland High School.

**Senate Joint Resolution No. 424** by Senator Kurita.

Memorials, Academic Achievement -- Ashley Forsythe, Salutatorian, Sycamore High School.

**Senate Joint Resolution No. 425** by Senator Kurita.

Memorials, Academic Achievement -- Sharon Elizabeth Williams, Co-Valedictorian, Sycamore High School.

**Senate Joint Resolution No. 426** by Senator Herron.

Memorials, Death -- James Hires Dunn.

**Senate Joint Resolution No. 427** by Senator Herron.

Memorials, Professional Achievement -- Jonathan I. Charney, Lifetime Achievement.

**Senate Resolution No. 80** by Senator Kurita.

Memorials, Academic Achievement -- Tulisha Jackman, Salutatorian, Northeast High School.

**Senate Resolution No. 81** by Senator Kurita.

Memorials, Academic Achievement -- Sung Min Kim, Valedictorian, Kenwood High School.

**Senate Resolution No. 82** by Senator Kurita.

Memorials, Academic Achievement -- Jonathan Wrenn, Valedictorian, Montgomery Christian Academy.

**Senate Resolution No. 83** by Senator Kurita.

Memorials, Academic Achievement -- Erika Collins, Valedictorian, Northeast High School.

**RESOLUTIONS LYING OVER**

**House Joint Resolution No. 516** -- Memorials, Death -- Dorothy Marie Williams.

The Speaker announced that he had referred House Joint Resolution No. 516 to Committee on Calendar.

**House Joint Resolution No. 517** -- Memorials, Congratulations -- Andrew McGarrity.

The Speaker announced that he had referred House Joint Resolution No. 517 to Committee on Calendar.

**House Joint Resolution No. 518** -- Memorials, Personal Occasion -- Mabel Major Raney, 100th birthday.

The Speaker announced that he had referred House Joint Resolution No. 518 to Committee on Calendar.

**House Joint Resolution No. 519** -- Memorials, Recognition -- John Kinnard "J.K." Langsdon.

The Speaker announced that he had referred House Joint Resolution No. 519 to Committee on Calendar.

**House Joint Resolution No. 520** -- Memorials, Academic Achievement -- Kristina Marie Dean, Salutatorian, Woodale High School.

The Speaker announced that he had referred House Joint Resolution No. 520 to Committee on Calendar.

**House Joint Resolution No. 521** -- Memorials, Academic Achievement -- Cecilia Maxwell, Valedictorian, Oakhaven High School.

The Speaker announced that he had referred House Joint Resolution No. 521 to Committee on Calendar.

**House Joint Resolution No. 522** -- Memorials, Congratulations -- Award-winning Brainerd High School Newspaper.

The Speaker announced that he had referred House Joint Resolution No. 522 to Committee on Calendar.

**House Joint Resolution No. 523** -- Memorials, Professional Achievement -- Pat Tyree, Radio Shack National Teacher Award.

The Speaker announced that he had referred House Joint Resolution No. 523 to Committee on Calendar.

**House Joint Resolution No. 528** -- Memorials, Interns -- Drew Morgan.

The Speaker announced that he had referred House Joint Resolution No. 528 to Committee on Calendar.

**THURSDAY, MAY 8, 2003 -- 38TH LEGISLATIVE DAY**

**House Joint Resolution No. 529** -- Memorials, Congratulations -- Altruria Elementary School Clean Club.

The Speaker announced that he had referred House Joint Resolution No. 529 to Committee on Calendar.

**House Joint Resolution No. 531** -- Memorials, Retirement -- James Harvey "Preacher" Shelton.

The Speaker announced that he had referred House Joint Resolution No. 531 to Committee on Calendar.

**House Joint Resolution No. 532** -- Memorials, Recognition -- Dr. William J. Madia.

The Speaker announced that he had referred House Joint Resolution No. 532 to Committee on Calendar.

**House Joint Resolution No. 533** -- Memorials, Academic Achievement -- Haiwen "Sophie" Guan, Valedictorian, Hendersonville Christian Academy.

The Speaker announced that he had referred House Joint Resolution No. 533 to Committee on Calendar.

**House Joint Resolution No. 534** -- Memorials, Academic Achievement -- Carrie Jo McBroom, Salutatorian, College Heights Christian Academy.

The Speaker announced that he had referred House Joint Resolution No. 534 to Committee on Calendar.

**House Joint Resolution No. 535** -- Memorials, Academic Achievement -- Britney Friesen, Valedictorian, College Heights Christian Academy.

The Speaker announced that he had referred House Joint Resolution No. 535 to Committee on Calendar.

**House Joint Resolution No. 536** -- Memorials, Death -- Ophelia M. Thomas.

The Speaker announced that he had referred House Joint Resolution No. 536 to Committee on Calendar.

**House Joint Resolution No. 537** -- Memorials, Retirement -- Reginald Hyberger.

The Speaker announced that he had referred House Joint Resolution No. 537 to Committee on Calendar.

**House Joint Resolution No. 538** -- Memorials, Academic Achievement -- Emily Hamlett, Salutatorian, Holloway High School.

The Speaker announced that he had referred House Joint Resolution No. 538 to Committee on Calendar.

**House Joint Resolution No. 539** -- Memorials, Academic Achievement -- Danielle Johnson, Valedictorian, Holloway High School.

## **THURSDAY, MAY 8, 2003 -- 38TH LEGISLATIVE DAY**

The Speaker announced that he had referred House Joint Resolution No. 539 to Committee on Calendar.

**Senate Joint Resolution No. 405** -- Memorials, Interns -- Melody Leeann Martin.

The Speaker announced that he had referred Senate Joint Resolution No. 405 to Committee on Calendar.

**Senate Joint Resolution No. 406** -- Memorials, Death -- Chancellor Joe Morris.

The Speaker announced that he had referred Senate Joint Resolution No. 406 to Committee on Calendar.

**Senate Joint Resolution No. 407** -- Memorials, Death -- Leo Martindale.

The Speaker announced that he had referred Senate Joint Resolution No. 407 to Committee on Calendar.

**Senate Joint Resolution No. 409** -- Memorials, Public Service -- Commends non-elected members of lottery 501(c)(3) committee.

The Speaker announced that he had referred Senate Joint Resolution No. 409 to Committee on Calendar.

**Senate Resolution No. 77** -- Memorials, Academic Achievement -- Chandel Marie Emerson, Salutatorian, Clarksville High School.

The Speaker announced that he had referred Senate Resolution No. 77 to Committee on Calendar.

**Senate Resolution No. 78** -- Memorials, Interns -- Donald "Trey" Winder III.

The Speaker announced that he had referred Senate Resolution No. 78 to Committee on Calendar.

**Senate Resolution No. 79** -- Memorials, Interns -- Matthew J. Nichols.

The Speaker announced that he had referred Senate Resolution No. 79 to Committee on Calendar.

### **CONSENT CALENDAR**

**House Joint Resolution No. 472** -- Memorials, Academic Achievement -- Mary Jane Wiseman, Valedictorian, Fayette Ware High School.

**House Joint Resolution No. 473** -- Memorials, Academic Achievement -- Keshia Graham, Salutatorian, Fayette Ware High School.

**House Joint Resolution No. 474** -- Memorials, Recognition -- Burr Howeth.

**House Joint Resolution No. 475** -- Memorials, Interns -- Talesa Dickerson.

**House Joint Resolution No. 476** -- Memorials, Professional Achievement -- Rotary Award for Teacher Excellence Recipients.

**THURSDAY, MAY 8, 2003 -- 38TH LEGISLATIVE DAY**

**House Joint Resolution No. 477** -- Memorials, Academic Achievement -- Joshua Jefferies, Valedictorian, Woodale High School.

**House Joint Resolution No. 478** -- Memorials, Academic Achievement -- Zachary Hamby, Salutatorian, Rockwood High School.

**House Joint Resolution No. 479** -- Memorials, Public Service -- Jeffrey A. Cozzens.

**House Joint Resolution No. 480** -- Memorials, Academic Achievement -- Tara Moss, Salutatorian, Millington Central High School.

**House Joint Resolution No. 481** -- Memorials, Academic Achievement -- Mallory King, Valedictorian, Millington Central High School.

**House Joint Resolution No. 482** -- Memorials, Retirement -- Virginia Adams.

**House Joint Resolution No. 483** -- Memorials, Personal Occasion -- Pearl Allen Bryant, 95th birthday.

**House Joint Resolution No. 484** -- Memorials, Heroism -- Private Matthew Prince.

**House Joint Resolution No. 486** -- Memorials, Interns -- Douglas Michael East.

**House Joint Resolution No. 487** -- Memorials, Professional Achievement -- Morgan Freeman.

**House Joint Resolution No. 488** -- Memorials, Professional Achievement -- Deanie Parker, Stax Museum of American Soul.

**House Joint Resolution No. 489** -- Memorials, Personal Achievement -- Mark Cooter, Air Force Aerial Achievement Medal.

**House Joint Resolution No. 490** -- Memorials, Academic Achievement -- Tara Hanson, Valedictorian, Cloudland High School.

**House Joint Resolution No. 491** -- Memorials, Academic Achievement -- Nichole Webb, Valedictorian, Cloudland High School.

**House Joint Resolution No. 492** -- Memorials, Academic Achievement -- Ruth Ellen Canter, Valedictorian, Unaka High School.

**House Joint Resolution No. 493** -- Memorials, Academic Achievement -- Jennifer Hodges, Valedictorian, Happy Valley High School.

**House Joint Resolution No. 494** -- Memorials, Academic Achievement -- Katie Sims, Valedictorian, Hampton High School.

**House Joint Resolution No. 495** -- Memorials, Academic Achievement -- Julie Brianne Simerly, Valedictorian, Elizabethton High School.

**THURSDAY, MAY 8, 2003 -- 38TH LEGISLATIVE DAY**

**House Joint Resolution No. 496** -- Memorials, Academic Achievement -- Peter Edward Roddy, Valedictorian, Elizabethton High School.

**House Joint Resolution No. 497** -- Memorials, Academic Achievement -- Jessica Leanne Taylor, Valedictorian, Elizabethton High School.

**House Joint Resolution No. 498** -- Memorials, Academic Achievement -- Brad Kenneth Borland, Valedictorian, Elizabethton High School.

**House Joint Resolution No. 499** -- Memorials, Academic Achievement -- Casey Jones Anderson, Valedictorian, Elizabethton High School.

**House Joint Resolution No. 500** -- Memorials, Academic Achievement -- Keely Roselyn Richardson, Valedictorian, Elizabethton High School.

**House Joint Resolution No. 501** -- Memorials, Academic Achievement -- David Scott Reece, Valedictorian, Elizabethton High School.

**House Joint Resolution No. 502** -- Memorials, Academic Achievement -- Joshua M. Hall, Salutatorian, Milan High School.

**House Joint Resolution No. 503** -- Memorials, Academic Achievement -- Nathan Hulling, Valedictorian, Milan High School.

**House Joint Resolution No. 504** -- Memorials, Death -- Bob Tallent.

**House Joint Resolution No. 505** -- Memorials, Academic Achievement -- John D. Winnett, Presidential Classroom Internship.

**House Joint Resolution No. 507** -- Memorials, Interns -- Benjamin Timothy Barnett.

**House Joint Resolution No. 510** -- Memorials, Public Service -- Brittany Adkins, Youth of the Year.

**House Joint Resolution No. 511** -- Memorials, Professional Achievement -- Lakeshore Park, 10th anniversary.

**House Joint Resolution No. 512** -- Memorials, Academic Achievement -- Ashley A. McKamey, Salutatorian, Stony Fork School.

**House Joint Resolution No. 513** -- Memorials, Academic Achievement -- Justin McKamey, Valedictorian, Stony Fork School.

**House Joint Resolution No. 514** -- Memorials, Academic Achievement -- Alison Harp, Salutatorian, Jellico High School.

**House Joint Resolution No. 515** -- Memorials, Academic Achievement -- Raymond Day III, Valedictorian, Jellico High School.



**Senate Joint Resolution No. 399** -- Memorials, Academic Achievement -- John O'Connor, Valedictorian, Coffee County Central High School.

**Senate Joint Resolution No. 400** -- Memorials, Academic Achievement -- Ericka Carlene Lundquist, Valedictorian, Cedars of Lebanon Academy.

**Senate Joint Resolution No. 401** -- Memorials, Academic Achievement -- Terri House, Salutatorian, Coffee County Central High School.

**Senate Joint Resolution No. 402** -- Memorials, Academic Achievement -- Brandon Dwayne Wanamaker, Salutatorian, Cedars of Lebanon Academy.

**Senate Joint Resolution No. 403** -- Memorials, Academic Achievement -- Ginger Nicole Yarworth, Salutatorian, Grundy County High School.

**Senate Joint Resolution No. 404** -- Memorials, Academic Achievement -- Keri J. Britcher, Salutatorian, Tullahoma High School.

Senator Crowe moved that all Senate Joint Resolutions be adopted; and all House Joint Resolutions be concurred in, which motion prevailed by the following vote:

Ayes . . . . . 33  
Noes . . . . . 0

Senators voting aye were: Atchley, Beavers, Bryson, Burchett, Burks, Clabough, Cohen, Cooper, Crowe, Crutchfield, Dixon, Ford, Fowler, Graves, Harper, Haynes, Henry, Herron, Jackson, Ketron, Kilby, Kurita, Kyle, McLeary, McNally, Miller, Norris, Person, Ramsey, Southerland, Trail, Williams and Mr. Speaker Wilder--33.

A motion to reconsider was tabled.

#### **MOTION**

Senator McNally moved that the rules be suspended for the immediate consideration of **House Joint Resolution No. 532**, out of order, which motion prevailed.

#### **RESOLUTION LYING OVER**

**House Joint Resolution No. 532** -- Memorials, Recognition -- Dr. William J. Madia.

On motion of Senator McNally, the rules were suspended for the immediate consideration of the resolution.

On motion, **House Joint Resolution No. 532** was concurred in.

A motion to reconsider was tabled.

#### **CALENDAR**

Senator Crowe moved that **Senate Bill No. 281** be considered first, which motion prevailed.

**Senate Bill No. 281** -- Health Care -- Requires persons or entities acquiring automated external defibrillator to register within 30 days, instead of encouraging registration, existence and

**THURSDAY, MAY 8, 2003 -- 38TH LEGISLATIVE DAY**

location of defibrillator with emergency communications district or ambulance dispatch center.  
Amends TCA Title 68, Chapter 140, Part 7.

Senator Ford moved to amend as follows:

**AMENDMENT NO. 1**

AMEND by deleting Section 1 in its entirety and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 68-140-703, is amended in subdivision (2) by deleting the language "is encouraged to register" and by substituting instead the language "shall, within a reasonable time after the placement of an AED, register".

AND FURTHER AMEND by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

SECTION \_\_\_\_\_. It is the legislative intent that no fee be charged to implement the provisions of this act.

On motion, the amendment was adopted.

Senator Ford moved to amend as follows:

**AMENDMENT NO. 2**

AMEND by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

SECTION \_\_\_\_\_. This act may be known and cited as the "Doug Archer Act".

On motion, the amendment was adopted.

Thereupon, **Senate Bill No. 281**, as amended, passed its third and final consideration by the following vote:

Ayes .....	33
Noes .....	0

Senators voting aye were: Atchley, Beavers, Bryson, Burchett, Burks, Clabough, Cohen, Cooper, Crowe, Crutchfield, Dixon, Ford, Fowler, Graves, Harper, Haynes, Henry, Herron, Jackson, Ketron, Kilby, Kurita, Kyle, McLeary, McNally, Miller, Norris, Person, Ramsey, Southerland, Trail, Williams and Mr. Speaker Wilder--33.

A motion to reconsider was tabled.

Senator Clabough moved that **House Bill No. 847**, as amended, be placed at the heel of the calendar for today, which motion prevailed.

**Senate Bill No. 65** -- Campaigns and Campaign Finance -- Removes limitation on candidate contributing personal funds to such candidate's own election. Amends TCA Title 2, Chapter 10, Part 3.

On motion, Senate Bill No. 65 was made to conform with **House Bill No. 1803**.

On motion, House Bill No. 1803, on same subject, was substituted for Senate Bill No. 65.

Senator Fowler moved to amend as follows:

**AMENDMENT NO. 1**

AMEND by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

SECTION \_\_\_\_\_. Tennessee Code Annotated, Title 2, Chapter 10, Part 3, is amended by adding the following as a new, appropriately designated section:

2-10-3\_\_\_\_. During the period beginning at twelve o'clock midnight (12:00) of the day following the day on which contributions by any candidate from the candidate's personal funds with respect to any election which in the aggregate exceed:

(1) For an office elected by statewide election, two hundred fifty thousand dollars (\$250,000);

(2) For the Senate, forty thousand dollars (\$40,000); and

(3) For any other state or local public office, twenty thousand dollars (\$20,000);

and extending through twelve o'clock midnight (12:00) of such election or referendum day, each candidate shall by telegram, facsimile machine, hand delivery or overnight mail delivery file a report with the registry of election finance or the county election commission, whichever is required in § 2-10-105 (a) and (b) of:

(1) A statement setting forth all expenditures made as follows:

(A) The statement shall list the full name and address of each person to whom a total amount of more than one hundred dollars (\$100) was paid during the period for which the statement is submitted, the total amount paid to that person, and the purpose thereof; and

(B) The statement shall list the total amount of expenditures of one hundred dollars (\$100) or less each, by category, without showing the exact amount of or vouching for each such expenditure.

(2) Each report required by this subsection shall be filed within seventy-two (72) hours after the time the expenditure is made. If such time falls other than during regular working hours, the report shall be filed after the opening of the office of the registry of election finance or the county election

commission, whichever is required by § 2-10-105(a) and (b) on the next working day after the time at which the report is otherwise due.

(3) The registry shall develop appropriate forms for the report required by this subsection and make such forms available to the candidates and the county election commissions.

Senator Fowler moved to amend as follows:

**AMENDMENT NO. 1 TO AMENDMENT NO. 1**

AMEND by deleting the words "or referendum" from the first sentence of the new Section 2-10-3\_\_\_ added by Amendment No. 1, drafting code 00720224.

On motion, Amendment No. 1 to Amendment No. 1 was adopted.

Senator Haynes moved that Amendment No. 1, as amended, go to the table, which motion failed by the following vote:

Ayes .....	14
Noes .....	18

Senators voting aye were: Burks, Crutchfield, Dixon, Ford, Graves, Harper, Haynes, Henry, Herron, Jackson, Kilby, Kyle, McLeary and Trail--14.

Senators voting no were: Atchley, Beavers, Bryson, Burchett, Clabough, Cohen, Cooper, Crowe, Fowler, Ketron, Kurita, McNally, Miller, Norris, Person, Ramsey, Southerland and Williams--18.

Senator Haynes moved that **House Bill No. 1803** be rereferred to the Committee on Calendar, which motion prevailed.

**Senate Bill No. 396** -- Local Education Agency -- Authorizes LEA to bring action for restitution against parent, guardian or other legal custodian who enrolls out-of-district student in school system and fraudulently misrepresents address for domicile of student. Amends TCA Title 49, Chapter 6, Part 30.

Senator Norris moved that Amendment No. 1 be placed behind Amendment No. 3, which motion prevailed.

Senator Norris moved that Amendment No. 2 be placed behind Amendment No. 3, which motion prevailed.

Senator Norris moved to amend as follows:

**AMENDMENT NO. 3**

AMEND by deleting Sections 1 and 2 of the printed bill in their entirety and substituting the following:

SECTION 1. Tennessee Code Annotated, Section 49-6-3003, is amended by adding the following language as a new subsection (c):

(c) Any parent, guardian, or other legal custodian who enrolls an out-of-district student in a school district and fraudulently represents the address for the domicile of the student for enrollment purposes is liable for restitution to the school district for an amount equal to the local per pupil expenditure identified by the Tennessee Department of Education for the district in which the student is fraudulently enrolled. Any parent, guardian, or other legal custodian who enrolls an out-of-state student in a school district and fraudulently represents the address for the domicile of the student for enrollment purposes is liable for restitution to the school district for an amount equal to the state and local per pupil expenditure identified by the Tennessee Department of Education for the district in which the student is fraudulently enrolled.

Restitution shall be cumulative for each year the child has been fraudulently enrolled in the system. Such restitution shall be payable to the school district and, when litigation is necessary to recover restitution, the parent, guardian, or other legal custodian shall be liable for costs and fees, including reasonable attorneys' fees, incurred by the school district. Such an action for restitution shall be brought by or on behalf of the district in the circuit or chancery court in which the district is located within one (1) year of the date the fraudulent representation occurred or was discovered, whichever is later. In no event shall any such action be brought more than six (6) years after the date on which the fraudulent enrollment occurred.

SECTION 2. This act shall take effect July 1, 2003, the public welfare requiring it.

On motion, the amendment was adopted.

Senator Kyle moved that Amendment No. 1 be withdrawn, which motion prevailed.

Senator Kyle moved that Amendment No. 2 be withdrawn, which motion prevailed.

Senator Crutchfield declared Rule 13 on **Senate Bill No. 396**.

Thereupon, **Senate Bill No. 396**, as amended, passed its third and final consideration by the following vote:

Ayes .....	32
Noes .....	1

Senators voting aye were: Atchley, Beavers, Bryson, Burchett, Clabough, Cohen, Cooper, Crowe, Crutchfield, Dixon, Ford, Fowler, Graves, Harper, Haynes, Henry, Herron, Jackson, Ketron, Kilby, Kurita, Kyle, McLeary, McNally, Miller, Norris, Person, Ramsey, Southerland, Trail, Williams and Mr. Speaker Wilder--32.

Senator voting no was: Burks--1.

A motion to reconsider was tabled.

**Senate Bill No. 879** -- Procedure -- Provides that person found not guilty of criminal offense by reason of insanity is not entitled to have such records expunged by virtue of such finding. Amends TCA Title 40, Chapter 32, Part 1.

Senator Person moved to amend as follows:

**AMENDMENT NO. 1**

AMEND by deleting the language of Section 1 and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 40-32-101, is amended by deleting the period (.) at the end of subsection (a)(1) and substituting instead the following:

; provided however, when a defendant in a case has been convicted of any offense or charge, including a lesser included offense or charge, the defendant shall not be entitled to expungement of the records or charges in such case pursuant to this part.

On motion, the amendment was adopted.

Thereupon, **Senate Bill No. 879**, as amended, passed its third and final consideration by the following vote:

Ayes .....	32
Noes .....	0

Senators voting aye were: Atchley, Beavers, Bryson, Burchett, Burks, Clabough, Cohen, Cooper, Crowe, Crutchfield, Dixon, Ford, Fowler, Graves, Harper, Haynes, Henry, Herron, Jackson, Ketron, Kilby, Kurita, Kyle, McLeary, Miller, Norris, Person, Ramsey, Southerland, Trail, Williams and Mr. Speaker Wilder--32.

A motion to reconsider was tabled.

**Senate Bill No. 1333** -- Shelby County -- Increases authority of environmental court to punish for contempt of such court from five days to ten days for each violation. Amends Chapter 426 of the Private Acts of 1991.

On motion, Senate Bill No. 1333 was made to conform with **House Bill No. 953**.

On motion, House Bill No. 953, on same subject, was substituted for Senate Bill No. 1333.

Senator Fowler moved to amend as follows:

**AMENDMENT NO. 1**

AMEND by adding the following language immediately after the existing language in Section 1:

In lieu of incarceration for contempt, the court may order that the respondent pick up trash for forty-eight (48) hours along well-traveled roads while wearing a green vest on which are written the words "I am an Environmental Hazard."

**THURSDAY, MAY 8, 2003 -- 38TH LEGISLATIVE DAY**

Senator Fowler moved for the previous question on Amendment No. 1 to **House Bill No. 953**, which motion prevailed by the following vote:

Ayes . . . . .	27
Noes . . . . .	3
Present, not voting . . .	1

Senators voting aye were: Beavers, Bryson, Burchett, Burks, Clabough, Cohen, Cooper, Crowe, Crutchfield, Dixon, Ford, Fowler, Graves, Haynes, Herron, Jackson, Ketron, Kilby, Kurita, Kyle, McLeary, Norris, Person, Ramsey, Southerland, Williams and Mr. Speaker Wilder--27.

Senators voting no were: Atchley, McNally and Miller--3.

Senator present and not voting was: Henry--1.

On motion, Amendment No. 1 was adopted by the following vote:

Ayes . . . . .	25
Noes . . . . .	6
Present, not voting . . .	1

Senators voting aye were: Beavers, Bryson, Burchett, Burks, Cohen, Cooper, Crowe, Crutchfield, Dixon, Ford, Fowler, Graves, Harper, Haynes, Herron, Jackson, Ketron, Kilby, Kurita, Kyle, McLeary, Norris, Ramsey, Southerland and Williams--25.

Senators voting no were: Atchley, Clabough, Henry, McNally, Miller and Person--6.

Senator present and not voting was: Mr. Speaker Wilder--1.

Senator Jackson moved that **House Bill No. 953** be referred to Committee on Judiciary.

Senator Miller moved to amend the motion to refer **House Bill No. 953** to Committee on Environment, Conservation and Tourism rather than the Committee on Judiciary, which motion failed by the following vote:

Ayes . . . . .	12
Noes . . . . .	18
Present, not voting . . .	1

Senators voting aye were: Burks, Crutchfield, Dixon, Ford, Harper, Herron, Jackson, Kilby, Kurita, Kyle, McLeary and Person--12.

Senators voting no were: Atchley, Beavers, Bryson, Burchett, Clabough, Cohen, Cooper, Crowe, Fowler, Graves, Henry, Ketron, McNally, Miller, Norris, Ramsey, Southerland and Mr. Speaker Wilder--18.

Senator present and not voting was: Haynes--1.

Thereupon, the motion to rerefer **House Bill No. 953** to Committee on Judiciary failed by the following vote:

Ayes ..... 10  
Noes ..... 20

Senators voting aye were: Crutchfield, Dixon, Graves, Harper, Henry, Kilby, Kyle, McLeary, McNally and Person--10.

Senators voting no were: Atchley, Beavers, Bryson, Burchett, Burks, Clabough, Cohen, Cooper, Crowe, Ford, Fowler, Herron, Jackson, Ketron, Kurita, Miller, Norris, Ramsey, Southerland and Mr. Speaker Wilder--20.

Senator Fowler moved that the Senate reconsider its action in adopting Amendment No. 1 to **House Bill No. 953**, which motion prevailed by the following vote:

Ayes ..... 30  
Noes ..... 1

Senators voting aye were: Atchley, Beavers, Bryson, Burchett, Burks, Clabough, Cohen, Crowe, Crutchfield, Dixon, Ford, Fowler, Graves, Harper, Haynes, Henry, Herron, Ketron, Kilby, Kurita, Kyle, McLeary, McNally, Miller, Norris, Person, Ramsey, Southerland, Trail and Mr. Speaker Wilder--30.

Senator voting no was: Cooper--1.

Senator Fowler moved that Amendment No. 1 to **House Bill No. 953** be withdrawn, which motion prevailed.

Thereupon, **House Bill No. 953** passed its third and final consideration by the following vote:

Ayes ..... 32  
Noes ..... 0

Senators voting aye were: Atchley, Beavers, Bryson, Burchett, Burks, Clabough, Cohen, Cooper, Crowe, Crutchfield, Dixon, Ford, Fowler, Graves, Harper, Haynes, Henry, Herron, Ketron, Kilby, Kurita, Kyle, McLeary, McNally, Miller, Norris, Person, Ramsey, Southerland, Trail, Williams and Mr. Speaker Wilder--32.

A motion to reconsider was tabled.

**Senate Bill No. 1676** -- Dentists -- Revises areas of dentistry practice that can be certified as "specialists". Amends TCA Title 63, Chapter 5.

Senator Ford moved to amend as follows:

#### AMENDMENT NO. 1

AMEND by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 63-5-108(a)(1), is amended by deleting the subdivision in its entirety and by substituting instead the following:



(1) Diagnoses, prescribes for or treats any disease, pain, deformity, deficiency, injury, disorder, and condition of the oral cavity, maxillofacial area, and the adjacent and associated structures and their impact on the human body. Such diagnosis and treatment may include the use of a complete or limited physical evaluation of patients by a board eligible or board certified oral and maxillofacial surgeon or a resident in an approved oral and maxillofacial surgery program practicing in a hospital setting.

SECTION 2. Tennessee Code Annotated, Section 63-5-108(a)(5), is amended by inserting the words "and maxillofacial" between the word "oral" and the word "surgery".

SECTION 3. Tennessee Code Annotated, Section 63-5-108(a)(13), is amended by deleting the subdivision in its entirety and by substituting instead the following:

(13) Uses the words, "Dentist," "Dental Surgeon," "Oral Surgeon," "Oral and Maxillofacial Surgeon," or letters "D.D.S.," "D.M.D.," or any other words, letters, title, or descriptive matter which in any way represents the person as being able to diagnose, treat, prescribe, or operate for any disease, pain, deformity, deficiency, injury, disorder, and condition of the oral cavity, maxillofacial area, and the adjacent and associated structures, and their impact on the human body;

SECTION 4. Tennessee Code Annotated, Section 63-5-108, is amended by adding the following as a new subsection (a) and by redesignating the subsequent subsections including those subsections amended in Section 1 through Section 3 of this act accordingly:

(a) Dentistry is defined as the evaluation, diagnosis, prevention, and/or treatment (nonsurgical, surgical, or related procedures) of diseases, disorders and/or conditions of the oral cavity, maxillofacial area, and/or the adjacent and associated structures and their impact on the human body, provided by a dentist, within the scope of such dentist's education, training, and experience, in accordance with the ethics of the profession and applicable law.

SECTION 5. Tennessee Code Annotated, Section 63-5-112(a), is amended by deleting items (1) through (8) in their entirety and by substituting instead the following:

- (1) Dental public health;
- (2) Endodontics;
- (3) Oral and maxillofacial pathology;
- (4) Oral and maxillofacial surgery;
- (5) Orthodontics and dentofacial orthopedics;
- (6) Pediatric dentistry;
- (7) Periodontics;
- (8) Prosthodontics;

(9) Oral and maxillofacial radiology; and

(10) Any other branch of dentistry hereafter recognized as a specialty by the American Dental Association and approved by the board.

Oral and maxillofacial surgeons are held to the same standard of care as physicians licensed under Title 63, Chapters 6 or 9.

SECTION 6. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, the amendment was adopted.

Thereupon, **Senate Bill No. 1676**, as amended, passed its third and final consideration by the following vote:

Ayes .....	32
Noes .....	0

Senators voting aye were: Atchley, Beavers, Bryson, Burchett, Burks, Clabough, Cohen, Cooper, Crowe, Crutchfield, Dixon, Ford, Fowler, Graves, Harper, Haynes, Henry, Herron, Ketron, Kilby, Kurita, Kyle, McLeary, McNally, Miller, Norris, Person, Ramsey, Southerland, Trail, Williams and Mr. Speaker Wilder--32.

A motion to reconsider was tabled.

**House Bill No. 718** -- Municipal Government -- Permits municipal utility systems to accept voluntary contributions through programs such as round-up programs and to make contributions for bona fide charitable purposes. Amends TCA Title 7.

**House Bill No. 718** passed its third and final consideration by the following vote:

Ayes .....	31
Noes .....	0

Senators voting aye were: Atchley, Beavers, Bryson, Burchett, Burks, Clabough, Cohen, Cooper, Crowe, Crutchfield, Dixon, Ford, Fowler, Graves, Harper, Haynes, Henry, Ketron, Kilby, Kurita, Kyle, McLeary, McNally, Miller, Norris, Person, Ramsey, Southerland, Trail, Williams and Mr. Speaker Wilder--31.

A motion to reconsider was tabled.

**Senate Bill No. 407** -- Local Government, General -- Changes publication of proposed county annual operating budget following presentation to governing body from one day to five days, if publication is in daily newspaper, or to next edition for which notices are accepted, if publication is in newspaper published less frequently than daily. Amends TCA Section 5-8-507.

On motion, Senate Bill No. 407 was made to conform with **House Bill No. 843**.

On motion, House Bill No. 843, on same subject, was substituted for Senate Bill No. 407.

Senator Cohen moved that Amendment No. 1 be withdrawn, which motion prevailed.

Senator Kurita moved to amend as follows:

**AMENDMENT NO. 2**

AMEND by deleting the following language in Section 1 of the bill:

However, no county shall be required to publish the proposed annual operating budget in any newspaper if such county publishes the proposed annual operating budget on the county's Internet web site, which shall be accessible to the public, on the day the budget is presented to the governing body in order to give the public notice of the budget. No county commission shall approve final adoption of such budget until at least ten (10) days after the budget has been so published by either method.

and substituting instead the following language:

No county commission shall approve final adoption of such budget until at least ten (10) days after the budget has been so published. A county may also publish the proposed annual operating budget on the county's Internet web site, which shall be accessible to the public, on the day the budget is presented to the governing body in order to give the public notice of the budget.

Senator Fowler moved that Amendment No. 2 go to the table, which motion failed by the following vote:

Ayes . . . . .	2
Noes . . . . .	24

Senators voting aye were: Clabough and Cohen--2.

Senators voting no were: Beavers, Bryson, Burchett, Cooper, Crowe, Crutchfield, Dixon, Ford, Fowler, Graves, Harper, Haynes, Henry, Herron, Ketron, Kilby, Kurita, Kyle, McLeary, Miller, Norris, Person, Southerland and Trail--24.

**MR. SPEAKER WILDER RELINQUISHES CHAIR**

Mr. Speaker Wilder relinquished the Chair to Senator Haynes as Speaker pro tempore.

Senator Fowler moved that **House Bill No. 843** be placed on the calendar for Monday, May 12, 2003, which motion prevailed.

**Senate Bill No. 1658 -- Handgun Permits --** Requires sheriff or chief of police of city of residence of person purchasing firearm to execute within five days of request all documents submitted by purchaser if purchaser is not prohibited from purchasing firearms. Amends TCA Title 39, Chapter 17.

Senator Norris moved to amend as follows:

**AMENDMENT NO. 1**

AMEND by deleting the amendatory language of Section 1 of the printed bill and by substituting instead the following:

§ 39-17-1361. The sheriff or chief of police of the city of residence of a person purchasing any firearm, defined by the National Firearms Act, 26 U.S.C. 5845 et seq., shall execute within fifteen (15) business days of any request all documents required to be submitted by the purchaser if the purchaser is not prohibited from possessing firearms pursuant to § 39-17-1316.

On motion, the amendment was adopted.

Thereupon, **Senate Bill No. 1658**, as amended, passed its third and final consideration by the following vote:

Ayes . . . . . 31  
Noes . . . . . 0

Senators voting aye were: Atchley, Beavers, Bryson, Burchett, Burks, Clabough, Cohen, Cooper, Crowe, Crutchfield, Dixon, Ford, Fowler, Graves, Harper, Haynes, Henry, Herron, Jackson, Ketron, Kilby, Kurita, Kyle, McLeary, McNally, Miller, Norris, Person, Ramsey, Southerland and Williams--31.

A motion to reconsider was tabled.

Senator Harper moved that **Senate Bill No. 1481** be rereferred to the Committee on Calendar, which motion prevailed.

Senator Crutchfield moved that **Senate Joint Resolution No. 392** be placed on the calendar for Wednesday, May 14, 2003, which motion prevailed.

**House Bill No. 847** -- Criminal Offenses -- Allows merchants to aid in prevention of sale of alcoholic beverages to persons underage. Amends TCA Section 39-15-413.

Senator Herron moved that Amendment No. 3 be withdrawn, which motion prevailed.

Senator Herron moved that Amendment No. 4 be withdrawn, which motion prevailed.

Senator Clabough moved to amend as follows:

**AMENDMENT NO. 5**

AMEND by deleting subsection (c) of the amendatory language of Section 2 as amended and substituting instead the following:

(c) In order to use a minor, or in the case of alcohol or beer, a person under twenty-one (21) years of age, for any of the purposes permitted by this section, the requirements of this subsection shall apply.

(1) Any such minor or person under twenty-one (21) years of age shall not:

(A) Purposely disguise his or her appearance so as to misrepresent his or her actual age;

(B) If male, have facial hair; and

(C) Make statements designed to trick, mislead, encourage or confuse the employee.

(2) Any such minor or person under twenty-one (21) years of age shall:

(A) Be photographed, both before and after the law enforcement or merchant-initiated use of the person, for the purpose of creating a record of his or her appearance during the time of the permitted use of such person;

(B) Except only for those questions relating to his or her employment or purpose for engaging in the conduct, respond truthfully to all questions posed by the location employee, including, but not limited to, inquiries concerning his or her age; and

(C) If identification is demanded by the location employee, produce only a valid state-issued card, which indicates his or her actual date of birth.

Senator Cooper moved for the previous question on Amendment No. 5, which motion prevailed by the following vote:

Ayes . . . . . 29  
Noes . . . . . 2

Senators voting aye were: Atchley, Beavers, Bryson, Burchett, Burks, Clabough, Cooper, Crowe, Crutchfield, Ford, Fowler, Graves, Harper, Haynes, Henry, Herron, Jackson, Ketron, Kilby, Kurita, Kyle, McLeary, McNally, Norris, Person, Ramsey, Southerland, Williams and Mr. Speaker Wilder--29.

Senators voting no were: Cohen and Miller--2.

On motion, Amendment No. 5 was adopted by the following vote:

Ayes . . . . . 30  
Noes . . . . . 1

Senators voting aye were: Atchley, Beavers, Bryson, Burchett, Burks, Clabough, Cohen, Cooper, Crowe, Crutchfield, Ford, Fowler, Graves, Harper, Haynes, Henry, Herron, Jackson, Ketron, Kilby, Kyle, McLeary, McNally, Miller, Norris, Person, Ramsey, Southerland, Williams and Mr. Speaker Wilder--30.

Senator voting no was: Kurita--1.

Thereupon, **House Bill No. 847**, as amended, passed its third and final consideration by the following vote:

Ayes . . . . . 30  
Noes . . . . . 1

Senators voting aye were: Atchley, Beavers, Bryson, Burchett, Burks, Clabough, Cohen, Cooper, Crowe, Crutchfield, Dixon, Fowler, Graves, Harper, Haynes, Henry, Herron, Jackson,

## THURSDAY, MAY 8, 2003 -- 38TH LEGISLATIVE DAY

Ketron, Kilby, Kyle, McLeary, McNally, Miller, Norris, Person, Ramsey, Southerland, Williams and Mr. Speaker Wilder--30.

Senator voting no was: Kurita--1.

A motion to reconsider was tabled.

### SENATE MESSAGE CALENDAR

Senator Person moved that **Senate Bill No. 792** lay on the desk, which motion prevailed.

### MOTION

Senator Crutchfield moved that the Proposed Schedule for the week of May 12, 2003, be adopted and made the action of the Senate, which motion prevailed by the following vote:

Ayes . . . . . 30  
Noes . . . . . 0

Senators voting aye were: Atchley, Beavers, Bryson, Burchett, Burks, Clabough, Cohen, Cooper, Crowe, Crutchfield, Fowler, Graves, Harper, Haynes, Henry, Herron, Jackson, Ketron, Kilby, Kurita, Kyle, McLeary, McNally, Miller, Norris, Person, Ramsey, Southerland, Williams and Mr. Speaker Wilder--30.

### **TENNESSEE STATE SENATE 103rd GENERAL ASSEMBLY**

### **PROPOSED SCHEDULE FOR THE WEEK OF MAY 12, 2003**

#### **MONDAY -- MAY 12**

5:00 p.m.                      Session -- Senate Chamber

#### **TUESDAY -- MAY 13**

8:30 a.m. -- 10:30 a.m.	Finance, Ways & Means Committee
10:30 a.m. -- 12:30 p.m.	State & Local Government Committee
12:30 p.m. -- 1:30 p.m.	Lunch
1:30 p.m. -- 3:30 p.m.	Commerce, Labor & Agriculture Committee
3:30 p.m. -- 5:30 p.m.	Judiciary Committee

#### **WEDNESDAY -- MAY 14**

8:30 a.m. -- 9:30 a.m.	Education Committee
9:30 a.m. -- 11:30 a.m.	Finance, Ways & Means Committee
11:30 a.m. -- 12:30 p.m.	Lunch
12:30 p.m. -- 1:30 p.m.	Transportation Committee
1:30 p.m. -- 3:00 p.m.	Government Operations Committee
3:00 p.m.	Session -- Senate Chamber

THURSDAY – MAY 15

9:00 a.m.

Session – Senate Chamber

NOTE: The following committees have finished and will meet again only at the call of the chairperson:

Environment, Conservation & Tourism Committee

General Welfare, Health & Human Resources Committee

**MOTION**

Senator Cooper moved that Rule 83(8) be suspended for the purpose of placing **Senate Bill No. 180 and Senate Joint Resolution No. 321** on the calendar for the Committee on Commerce, Labor and Agriculture for Tuesday, May 13, 2003, which motion prevailed.

**NOTICE**

Pursuant to Rule 44, notice was given that the following bills were returned from the House of Representatives amended. Under the rule, the bills lie over.

**MESSAGE FROM THE HOUSE**

May 7, 2003

MR. SPEAKER: I am directed to return to the Senate, Senate Bill No. 1, substituted for House Bill on same subject, amended, and passed by the House.

BURNEY T. DURHAM,  
Chief Clerk.

**MESSAGE FROM THE HOUSE**

May 8, 2003

MR. SPEAKER: I am directed to return to the Senate, Senate Bill No. 1931, substituted for House Bill on same subject, amended, and passed by the House.

BURNEY T. DURHAM,  
Chief Clerk.

**MOTION**

On motion of Senator Cohen, his name was added as sponsor of **House Joint Resolutions Nos. 487 and 488**.

On motion of Senator Norris, his name was added as sponsor of **House Joint Resolutions Nos. 479, 480 and 481**.

On motion of Senator Beavers, her name was added as sponsor of **House Joint Resolution No. 505**.

**THURSDAY, MAY 8, 2003 -- 38TH LEGISLATIVE DAY**

On motion of Senator Henry, his name was added as sponsor of **House Joint Resolution No. 482.**

On motion of Senator Graves, her name was added as sponsor of **House Joint Resolution No. 474.**

On motion, all Senators' names were added as sponsors of **House Joint Resolution No. 482.**

On motion of Senator McLeary, his name was added as sponsor of **House Joint Resolutions Nos. 502 and 503; and Senate Joint Resolution No. 392.**

On motion of Mr. Speaker Wilder and Senators Henry, Atchley, Burchett, Clabough, Kilby and Miller, their names were added as sponsors of **House Joint Resolution No. 532.**

On motion of Senator Dixon, his name was added as sponsor of **House Joint Resolutions Nos. 475, 476, 477 and 482.**

On motion, all Senators' names were added as sponsors of **Senate Bill No. 281.**

On motion of Senator McNally, his name was added as sponsor of **House Joint Resolution No. 504.**

On motion of Senator Harper, her name was added as sponsor of **House Joint Resolutions Nos. 482 and 483.**

On motion of Senator Trail, his name was added as sponsor of **House Joint Resolution No. 484.**

On motion of Senator Kilby, his name was added as sponsor of **House Joint Resolutions Nos. 512, 513, 514 and 515.**

On motion of Mr. Speaker Wilder, his name was added as sponsor of **House Joint Resolutions Nos. 472, 473 and 531.**

On motion of Senator Crowe, his name was added as sponsor of **House Joint Resolutions Nos. 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500 and 501.**

On motion of Senator Kyle, his name was added as sponsor of **House Joint Resolutions Nos. 477, 479, 487 and 488.**

On motion of Senator Bryson, his name was added as sponsor of **House Joint Resolution No. 510.**

**ENGROSSED BILLS**

May 8, 2003

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully examined Senate Bills Nos. 281 and 879, and find same correctly engrossed and ready for transmission to the House.

PATRICK W. MERKEL,  
Chief Engrossing Clerk.



**ENGROSSED BILLS**

May 8, 2003

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully examined Senate Bills Nos. 396, 1658 and 1676; and find same correctly engrossed and ready for transmission to the House.

PATRICK W. MERKEL,  
Chief Engrossing Clerk.

**ENGROSSED BILLS**

May 8, 2003

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully examined Senate Joint Resolutions Nos. 399, 400, 401, 402, 403 and 404; and find same correctly engrossed and ready for transmission to the House.

PATRICK W. MERKEL,  
Chief Engrossing Clerk.

**MESSAGE FROM THE HOUSE**

May 8, 2003

MR. SPEAKER: I am directed to return to the Senate, Senate Bills Nos. 281 and 509, substituted for House Bills on same subjects and passed by the House.

BURNEY T. DURHAM,  
Chief Clerk.

**MESSAGE FROM THE HOUSE**

May 8, 2003

MR. SPEAKER: I am directed to return to the Senate, Senate Bills Nos. 940 and 1471, substituted for House Bills on same subjects and passed by the House.

BURNEY T. DURHAM,  
Chief Clerk.

**MESSAGE FROM THE HOUSE**

May 8, 2003

MR. SPEAKER: I am directed to return to the Senate, Senate Bills Nos. 111, 879 and 1927; substituted for House Bills on same subjects and passed by the House.

BURNEY T. DURHAM,  
Chief Clerk.

**MESSAGE FROM THE HOUSE**

May 8, 2003

MR. SPEAKER: I am directed to return to the Senate, Senate Bills Nos. 806 and 1862, substituted for House Bills on same subjects and passed by the House.

BURNEY T. DURHAM,  
Chief Clerk.

**MESSAGE FROM THE HOUSE**

May 8, 2003

MR. SPEAKER: I am directed to transmit to the Senate, House Bills Nos. 1229, 1231, 1649, 2013, 2041, 2102 and 2114; passed by the House.

BURNEY T. DURHAM,  
Chief Clerk.

**MESSAGE FROM THE HOUSE**

May 8, 2003

MR. SPEAKER: I am directed to return to the Senate, Senate Joint Resolutions Nos. 210, 211, 212, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 393, 394, 395, 396, 397 and 398; concurred in by the House.

BURNEY T. DURHAM,  
Chief Clerk.

**MESSAGE FROM THE HOUSE**

May 8, 2003

MR. SPEAKER: I am directed to return to the Senate, Senate Joint Resolution No. 356, concurred in by the House.

BURNEY T. DURHAM,  
Chief Clerk.

**MESSAGE FROM THE HOUSE**

May 8, 2003

MR. SPEAKER: I am directed to transmit to the Senate, House Joint Resolutions Nos. 540 and 541, adopted, for the Senate's action.

BURNEY T. DURHAM,  
Chief Clerk.

**ENROLLED BILLS**

May 8, 2003

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared Senate Bill No. 764, and find same correctly enrolled and ready for the signatures of the Speakers.

PATRICK W. MERKEL,  
Chief Engrossing Clerk.

**ENROLLED BILLS**

May 8, 2003

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared Senate Resolutions Nos. 73, 74, 75 and 76; and Senate Joint Resolutions Nos. 320, 322,

**THURSDAY, MAY 8, 2003 -- 38TH LEGISLATIVE DAY**

323, 324, 325, 326, 327, 328, 329, 330, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 358, 359, 360, 361 and 408; and find same correctly enrolled and ready for the signatures of the Speakers.

PATRICK W. MERKEL,  
Chief Engrossing Clerk.

**ENROLLED BILLS**

May 8, 2003

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared Senate Joint Resolutions Nos. 210, 211, 212, 356, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 393, 394, 395, 396, 397 and 398; and find same correctly enrolled and ready for the signatures of the Speakers.

PATRICK W. MERKEL,  
Chief Engrossing Clerk.

**MESSAGE FROM THE HOUSE**

May 8, 2003

MR. SPEAKER: I am directed to transmit to the Senate, House Joint Resolutions Nos. 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 507, 510, 511, 512, 513, 514 and 515; for the signature of the Speaker.

BURNEY T. DURHAM,  
Chief Clerk.

**MESSAGE FROM THE HOUSE**

May 8, 2003

MR. SPEAKER: I am directed to transmit to the Senate, House Joint Resolutions Nos. 409, 506 and 532; for the signature of the Speaker.

BURNEY T. DURHAM,  
Chief Clerk.

**SIGNED**

May 8, 2003

The Speaker announced that he had signed the following: Senate Resolutions Nos. 73, 74, 75 and 76; Senate Joint Resolutions Nos. 320, 322, 323, 324, 325, 326, 327, 328, 329, 330, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 358, 359, 360, 361 and 408; and House Joint Resolutions Nos. 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 507, 510, 511, 512, 513, 514 and 515.

**SIGNED**

May 8, 2003

The Speaker announced that he had signed the following: House Joint Resolutions Nos. 409, 506 and 532.

**SIGNED**

May 8, 2003

The Speaker announced that he had signed the following: Senate Bill No. 764.

**SIGNED**

May 8, 2003

The Speaker announced that he had signed the following: Senate Joint Resolutions Nos. 210, 211, 212, 356, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 393, 394, 395, 396, 397 and 398.

**MESSAGE FROM THE HOUSE**

May 8, 2003

MR. SPEAKER: I am directed to return to the Senate, Senate Joint Resolutions Nos. 320, 322, 323, 324, 325, 326, 327, 328, 329, 330, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 358, 359, 360, 361 and 408; signed by the Speaker.

BURNEY T. DURHAM,  
Chief Clerk.

**MESSAGE FROM THE HOUSE**

May 8, 2003

MR. SPEAKER: I am directed to return to the Senate, Senate Joint Resolutions Nos. 210, 211, 212, 356, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 393, 394, 395, 396, 397 and 398; signed by the Speaker.

BURNEY T. DURHAM,  
Chief Clerk.

**MESSAGE FROM THE HOUSE**

May 8, 2003

MR. SPEAKER: I am directed to return to the Senate, Senate Bills Nos. 279, 375, 1116, 1345, 1465, 1538, 1733, 1739, 1787, 1789, 1793, 1901 and 1978; signed by the Speaker.

BURNEY T. DURHAM,  
Chief Clerk.

**REPORT OF CHIEF ENGROSSING CLERK**

May 8, 2003

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: Senate Bills Nos. 279, 375, 1116, 1345, 1465, 1538, 1733, 1739, 1787, 1789, 1793, 1901 and 1978; for his action.

PATRICK W. MERKEL,  
Chief Engrossing Clerk.

**THURSDAY, MAY 8, 2003 -- 38TH LEGISLATIVE DAY**

**REPORT OF CHIEF ENGROSSING CLERK**

May 8, 2003

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: Senate Joint Resolutions Nos. 210, 211, 212, 356, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 393, 394, 395, 396, 397 and 398; for his action.

PATRICK W. MERKEL,  
Chief Engrossing Clerk.

**REPORT OF CHIEF ENGROSSING CLERK**

May 8, 2003

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: Senate Joint Resolutions Nos. 320, 322, 323, 324, 325, 326, 327, 328, 329, 330, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 358, 359, 360, 361 and 408; for his action.

PATRICK W. MERKEL,  
Chief Engrossing Clerk.

**MESSAGE FROM THE GOVERNOR**

May 7, 2003

MR. SPEAKER: I am directed by the Governor to return herewith: Senate Bills Nos. 195, 603, 740 and 2018; and Senate Joint Resolution No. 376; with his approval.

ROBERT E. COOPER, JR.,  
Counsel to the Governor.

**REPORT OF COMMITTEE ON CALENDAR  
CONSENT CALENDAR #1**

MR. SPEAKER: Your Committee on Calendar begs leave to report that we have met and set the following bills on the calendar for Monday, May 12, 2003: House Joint Resolutions Nos. 159, 443, 450, 452, 453, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 516, 517, 518, 519, 520, 521, 522, 523, 528, 529, 531, 533, 534, 535, 536, 537, 538 and 539; Senate Joint Resolutions Nos. 362, 368, 369, 370, 371, 372, 374, 375, 377, 405, 406, 407 and 409; and Senate Resolutions Nos. 54, 55, 56, 57, 58, 59, 61, 62, 63, 64, 65, 66, 67, 68, 69, 77, 78 and 79.

This the 8th day of May, 2003.  
CROWE, Chairperson.

**REPORT OF COMMITTEE ON CALENDAR  
CONSENT CALENDAR #2**

MR. SPEAKER: Your Committee on Calendar begs leave to report that we have met and set the following bills on the calendar for Monday, May 12, 2003: Senate Bills Nos. 361, 734, 795, 919, 924, 1725, 1727 and 1815.

This the 8th day of May, 2003.  
CROWE, Chairperson.

**REPORT OF COMMITTEE ON CALENDAR**

MR. SPEAKER: Your Committee on Calendar begs leave to report that we have met and set the following bills on the calendar for Monday, May 12, 2003: Senate Bills Nos. 83, 469, 478, 520, 533, 622, 855, 875, 918, 939, 1085, 1200, 1262, 1366, 1395, 1805, 1935, 1939, 1977 and 2014; House Bill No. 843; and Senate Bills Nos. 191, 1088, 1444 and 1687.

This the 8th day of May, 2003.  
CROWE, Chairperson.

**REPORT OF COMMITTEE ON CALENDAR  
LOCAL BILL  
CONSENT CALENDAR**

Pursuant to Rule 26, the following bills have been set on the Consent Calendar for Monday, May 12, 2003: Senate Bills Nos. 1397, 2010, 2020, 2022, 2023, 2028, 2030 and 2031.

**SENATE  
MESSAGE CALENDAR**

Pursuant to Rule 44, notice has been given on the following bills and they have been set on the Message Calendar for Monday, May 12, 2003: Senate Bills Nos. 1, 762, 1931 and 1408.

**ADJOURNMENT**

Senator Crutchfield moved the Senate adjourn until 5:00 p.m., Monday, May 12, 2003, which motion prevailed.